

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GLORIA GORHAM, ASHANTI GORHAM
SADIE MILES, SADIESHA MILES,
DENIESHA LEE, LARIESE MILES

14 CV 6865 (LDH) (RLM)

Plaintiffs

-against-

CITY OF NEW YORK, P.O. JOHN MURPHY, P.O. DIMITRY
BRUSHNIVSKY, P.O. ANDREW LASSEN, P.O. JOHN FABRIZIO,
and P.O. NICHOLAS SCALZO,
Defendants

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**UNOPPOSED MOTION TO WITHDRAW THE FOLLOWING CLAIMS WITH PREJUDICE
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41 (a)(2)**

TO THE HONORABLE JUDGE LaSHANN DeARCY HALL

Pursuant to the Federal Rules of Civil Procedure 41 (a)(2), the above named plaintiffs through their Counsel, file this unopposed motion to withdraw the following claims based upon the following enumerated circumstances.

1. The Plaintiffs filed this Amended Complaint on August 23, 2015, based upon an incident that took place on August 25, 2015, wherein these plaintiffs claim that they were unjustifiably beaten by the named individual defendants who were New York City police officers.
2. Notice of claims were filed on behalf of all of these plaintiffs. 50 H hearings were held on behalf of plaintiffs, Gloria Gorham, Ashanti Gorham and Sadie Miles. There were no 50 H hearings held on behalf of Deniesha Lee, Lariese Miles and Sadiesha Miles.

3. Additionally no proof was adduced concerning the 42 U.S.C. Section 1983 claims made by all of these plaintiffs against the City of New York which would impose liability upon the City of New York for the actions of these police officers.
4. Accordingly all of these plaintiffs move to withdraw with prejudice all of the 42 U.S.C. Section 1983 claims against the defendant City of New York.
5. All of the plaintiffs move to withdraw with prejudice all claims against the City of New York for all negligent supervision, retention and training claims.
6. The plaintiffs Deneisha Lee, Lariese Miles and Sadiesha Miles move to withdraw with prejudice all state law claims they have made against the City of New York and the individual defendants.
7. The plaintiff Sadie Miles moves to withdraw with prejudice all claims against the City of New York and withdraw with prejudice all claims against the individual defendants.

ORDER

It is so ordered that the claims set forth above be dismissed with prejudice and without an award of fees and costs.

April 19, 2016

So Ordered

s/ LaShann DeArcy Hall

LaShann DeArcy Hall
United States District Judge